

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARLOS ANDERSON,

Plaintiff,

v.

SKANSKA USA, INC., *et al.*,

Defendant.

Case No. 2:22-cv-01007-RAJ

ORDER

I. INTRODUCTION

This matter comes before the Court on Defendant Microsoft Corporation's ("Microsoft") Motion to Dismiss. Having considered the submissions of the parties, the Court **GRANTS** the motion. Dkt. # 13.

Plaintiff generally alleges that he suffered discrimination and retaliation while employed by contractors working on an Microsoft-owned property. *See* Dkt. # 1. In addition to being conclusory, the allegations against Microsoft fail to plead sufficient facts to show that Microsoft was Plaintiff's employer, owed him any duty, or was otherwise in a relationship to him in order to support his claims. Accordingly, Plaintiff's Complaint against Microsoft is subject to dismissal under Fed. R. Civ. P. 12(b)(6) because it fails to set forth facts sufficient to establish any plausible claim for relief. *See Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). The Court also considers Plaintiff's non-opposition "as an admission that the motion has merit." LCR

1 7(b)(2).

2 For the reasons above, the Court **DISMISSES** the Plaintiff's claims against
3 Microsoft with prejudice, and **DISMISSES** Microsoft from this lawsuit.

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5 DATED this 30th day of November, 2022.

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9 The Honorable Richard A. Jones
10 United States District Judge
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